

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

THOMAS ALLEN GORDON,

Plaintiff,

v.

D. VAN OGLE *et al.*,

Defendants.

Case No. C03-5223BHS

ORDER DENYING PLAINTIFF'S
MOTION FOR STAY AND
GRANTING ADDITIONAL TIME TO
FILE A RESPONSE AND REPLY

This Civil Rights action has been referred to the undersigned Magistrate Judge pursuant to Title 28 U.S.C. § 636(b)(1)(B). Before the court is plaintiff's motion asking for a stay of this case because plaintiff has just been transferred from the Stafford Creek Correction Center to the Washington State Penitentiary (Dkt # 132). Plaintiff is reminded he must submit a change of address to the court. The Clerk's office still lists plaintiff as being at the Stafford Creek Corrections Center.

Defendants note this case has been pending for a number of years and oppose any indefinite stay (Dkt # 132). Defendant's counsel states they do not oppose a short continuance to allow plaintiff to file a response to the pending summary judgment motion (Dkt. # 132).

The court will not grant an indefinite stay given the length of time this case has been pending. Plaintiff's motion for a stay is **DENIED**.

The court will grant a short continuance, until **December 28, 2007**, for plaintiff to file a

1 response to the pending motion for summary judgment. Any reply defendants wish to file must be
2 filed on or before **January 11, 2008**. The defendants motion for summary judgment, (Dkt # 130),
3 will be re-noted for **January 11, 2008**.

4 The Clerk is directed to send copies of this Order to plaintiff and counsel for defendants. The
5 clerk is also asked to remove plaintiff's motions, (Dkt. # 132), from the court's calendar and re-note
6 the motion for summary judgment, (Dkt # 130) for **January 11, 2008**.

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8 DATED this 4 day of December, 2007

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10 /S/ J. Kelley Arnold
11 J. Kelley Arnold
12 United States Magistrate Judge
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